

FILED

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

23 Attorneys for Plaintiff
24 UNITED STATES OF AMERICA

25 UNITED STATES DISTRICT COURT

26 FOR THE CENTRAL DISTRICT OF CALIFORNIA

27 UNITED STATES OF AMERICA,

28 CR No. 17-432(A) #8

Plaintiff,

GOVERNMENT'S NOTICE OF REQUEST FOR
DETENTION

v.

TULIO ALFONSO OCAMPO-GARCIA,

Defendant.

29 Plaintiff, United States of America, by and through its counsel
30 of record, hereby requests detention of defendant and gives notice of
31 the following material factors:

32 1. Temporary 10-day Detention Requested (§ 3142(d)) on the
33 following grounds:

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- a. present offense committed while defendant was on release pending (felony trial),
- b. defendant is an alien not lawfully admitted for permanent residence; and
- c. defendant may flee; or
- d. pose a danger to another or the community.

2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure:

- a. the appearance of the defendant as required;
- b. safety of any other person and the community.

3. Detention Requested Pending Supervised Release/Probation Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

- a. defendant cannot establish by clear and convincing evidence that he/she will not pose a danger to any other person or to the community;
- b. defendant cannot establish by clear and convincing evidence that he/she will not flee.

4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

- a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

- b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or 2332b(g)(5)(B) with 10-year or greater maximum penalty (presumption of danger to community and flight risk);
- c. offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4), 2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);
- d. defendant currently charged with an offense described in paragraph 5a - 5e below, AND defendant was previously convicted of an offense described in paragraph 5a - 5e below (whether Federal or State/local), AND that previous offense was committed while defendant was on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

5. Government Is Entitled to Detention Hearing Under § 3142(f)

If the Case Involves:

a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;

b. an offense for which maximum sentence is life imprisonment or death;

7. Good cause for continuance in excess of three days exists in
that:

Dated: October 25, 2017

Respectfully submitted,

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